

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated July 25, 2006 ("the Office Action"). In the Office Action, the Examiner rejected all pending claims on the grounds of non-statutory obviousness-type double patenting; objected to Claims 4 and rejected Claims 1 – 2, 4, 7 – 12, 14 – 16, 18 and 27 – 28 as being obvious over U.S. Patent Number 6,771,742 B2 to McCalmont *et al.* (herein "*McCalmont*") in view of U.S. Patent Number 7,050,787 to Caci (herein "*Caci*"). In response, Applicants make the above amendments and the following remarks.

For purposes of clarity, and without intending to abandon or to dedicate to the public any patentable subject matter, Claim 4 is hereby amended. Therefore, **Claims 1 – 12, 14 – 20, 27 and 28 are currently pending.** As set forth more fully below, reconsideration and allowance of the pending claims are respectfully requested.

DOUBLE PATENTING REJECTION

All pending claims stand rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1 – 74 of co-pending Application No. 10/816,613. In response, a terminal disclaimer is transmitted herewith.

CLAIM OBJECTION

Claim 4 is hereby amended to remove the superfluous word "transmits," as required by the Examiner.

ART REJECTION

Claims 1 – 2, 4, 7 – 12, 14 – 16, 18 and 27 – 28 stand rejected under 35 U.S.C. §103(a) as being obvious over *McCalmont* in view of *Caci*.

In this set of claims, claims 1 and 15 are independent. The rest of the above-listed claims depend directly or indirectly from claims 1 or 15. Applicants will first discuss the independent claims.

In rejecting claims 1 and 15, the Examiner asserts that *McCalmont* discloses:

an emergency services network (emergency services complex 216) comprising a resource (positioning server 256) connected to a plurality of emergency services (call center database 264, information retrieval center 228); and a conforming emergency system (PSAP 244) connected to the resource via a media channel (computer network; col. 8, lines 44-47)... . Office Action, Page 3.

It is respectfully submitted that Examiner is not viewing the prior art as a whole. The Examiner is impermissibly picking and choosing among the components of *McCalmont* without regard to their structure, function and interconnections, using Applicants' claims as a roadmap.

McCalmont's emergency services complex 216 does not include a "resource connected to a plurality of emergency services" as defined in Applicants' specification and claims. A "resource" is defined as "any system, device, equipment, or server configured to communicate with a conforming emergency system via a media channel..." Specification, Paragraph [0045]. An emergency service is defined as "any services subscribed to or provided for an emergency call or other event requiring or needing such services. One example of an emergency service is an ALI database that provides location information." Specification, Paragraph [0046] (emphasis added).

Thus, *McCalmont's* emergency services complex 216 does not disclose a "resource connected to a plurality of emergency services." *McCalmont's* emergency services complex 216 is a plurality of emergency services. Furthermore, *McCalmont's* emergency services complex 216 is not connected to a conforming emergency system via a media channel. Clearly, *McCalmont's* PSAP 244 is a conforming emergency system, as the Examiner states. *McCalmont's* PSAP 244 is, however, connected to an ALI database 248. As quoted above, an ALI database is an example of an emergency service in the context of Applicants' invention.

To summarize the structure of *McCalmont*, a conforming emergency system (PSAP 244) is connected to one emergency service (ALI database 248) and then the emergency service is connected to a further emergency service (position server 256), which is connected to further emergency services. This is one exemplary structure that Applicants' invention is an improvement over. There is no "resource" disclosed or suggested in *McCalmont* that initiates "an emergency event session." There is no way

disclosed or suggested in *McCalmont* for associating multiple responses to an initial query of ALI database 248 to be forwarded to PSAP 244 to an initial query. Further, *McCalmont*'s ALI database 248 is an example of an emergency service, not a resource, as defined in Applicants' specification.

Caci does not add this important element to the teachings of *McCalmont*. *Caci* describes delivering a location calculation and delivering the location calculation multiple times, as the Examiner correctly points out. *Caci*, however, does not teach or suggest sending this data to a "resource" (as claimed and defined by Applicants) before delivering it to the PSAP. There is no teaching or suggestion as to how the multiple location calculations can be coordinated before or after the PSAP receives them. *Caci* describes a separate network that delivers the location calculation to the PSAP rather than coordinating delivery with other data relevant to the call event at a resource, as disclosed and claimed in Applicants' invention. Col. 4, lines 14 – 18. Therefore, neither *McCalmont* nor *Caci*, either alone or together, disclose or suggest Applicants' invention as described and claimed. Thus, Applicants' invention, as claimed in Independent Claims 1 and 15, is patentable over this art.

Claims 2 – 12 and 14 depend from allowable independent claim 1 and are therefore allowable. Claims 16 – 20 and 27 – 28 depend from allowable independent claim 15 and are therefore allowable. Withdrawal of this rejection and allowance of these claims is respectfully requested.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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